

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:09cv294**

RAS SELASSIE BRYSON,)	
)	
Plaintiff,)	
)	
Vs.)	ORDER
)	
OCWEN FEDERAL BANK FSB,)	
)	
Defendant.)	
_____)	

THIS MATTER is before the court on plaintiff’s “Jury Demand Complaint Under the Racketeer Influenced and Corrupt Organizations Act” (#42), which is also captioned as “Motion for Order to Vacate and Setaside Wrongful Foreclosure.” (Error in original), which was specifically referred to the undersigned by the district court on June 9, 2010, for disposition.

Earlier this year, the undersigned was referred, considered, and entered a recommendation on defendant’s Motion to Dismiss, recommending that such motion be allowed and that this action be dismissed. See Second Recommendation, January 20, 2010 (#33). On June 3, 2010, plaintiff filed the instant motion. On June 4, 2010, the district court adopted the undersigned’s recommendation and dismissed this action with prejudice in its entirety. A judgment to such effect was entered the same

day and this case was terminated.

Review of the instant motion reveals it is nearly identical to her Amended Complaint as well as earlier arguments she had made in relation to the motion to dismiss (see Docket Entry #34) and her objections to the second recommendation (see Docket Entry # 36). Inasmuch as the instant motion raises no new issues and does not seek relief that could be granted by this court, and, further, inasmuch as judgment has been entered dismissing this action with prejudice, such motion is non-justiciable and will be denied as moot.

ORDER

IT IS, THEREFORE, ORDERED that plaintiff's "Jury Demand Complaint Under the Racketeer Influenced and Corrupt Organizations Act" (#42) is **DENIED** as moot as it is non-justiciable.

Signed: June 10, 2010

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Dennis L. Howell
United States Magistrate Judge

